

### **REMARKS**

Applicants respectfully requests entry of the amendments and remarks submitted herein. Claims 3-4, 8-9, 12-14, and 20-25 are amended, and claims 1-2, 5-7, 10-11, 15-19, and 27-28 are cancelled. Therefore, claims 3-4, 8-9, 12-14, and 20-26 are currently pending.

Support for the amendments to the claims can be found in the originally filed claims and throughout the specification. Claims 3 and 4 have been rewritten in independent form including all features of the base claim 1.

Claims 8 and 9 have been rewritten in independent form including all features of the base claim 5 and intervening claim 6.

Claims 12 and 13 have been rewritten in independent form including all features of the base claim 10.

Claim 14 has been amended to recite the features of claims 12 or 13.

Claims 20 and 21 have been rewritten in independent form including all features of the base claim 18.

Claims 22-24 have been amended to depend from claim 20.

Claim 25 has been amended to depend from claims 12 or 13.

Reconsideration of the pending application is respectfully requested.

### **Renewed Petition under 37 CFR 1.84(a)(2)**

The Petition for acceptance of Color Drawings under 37 CFR 1.84(a)(2) was denied because it was not accompanied by an amendment to the specification indicating the presence of color drawings. Submitted herewith is a Renewed Petition for Acceptance of Color Drawings. The specification has been amended to insert the required text, as suggested by the examiner.

Applicant requests that the petition be granted.

### **Allowable Subject Matter**

The Examiner has indicated that claims 3-4, 8-9 12-13 and 20-21 are free of the art. These claims were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the features of the base claim and any

intervening claims. These claims have been amended as suggested by the Examiner. Applicants respectfully request that this objection be withdrawn.

### **Claim Objections**

The Examiner objected to claim 14 as being of improper dependent form. The Examiner indicated that claim 14 recites a method of producing infectious viral particles wherein the particles contain a "pseudotyped envelope glycoprotein." However, the claims from which claim 14 depends are limited to an isolated vector comprising a nucleic acid encoding a LCMV envelope glycoprotein, not any envelope glycoprotein, and hence claim 14 is broader in scope than the claims from which it depends.

Claim 14 has been amended to recite the features of claims 12 or 13, and the Examiner has indicated that claims 12 and 13 are free of the art. Applicants respectfully request that this objection be withdrawn.

### **35 USC 102 Rejections**

The Examiner rejected claims 1, 10 and 25 under 35 U.S.C. 102(b) as being anticipated by Beyer et al. Claims 1 and 10 have been cancelled. Claim 25 has been amended to recite the features of claims 12 or 13, and the Examiner has indicated that claims 12 and 13 are free of the art. Applicants respectfully request that this rejection under 35 U.S.C. 102(b) be withdrawn.

The Examiner rejected claims 1-2, 5-7, 10-11, 14, 19 and 25-26 under 35 U.S.C. 102(e) as being anticipated by Von Laer et al. Claims 1-2, 5-7, 10-11, and 19 have been cancelled. Claims 14 and 25-26 have been amended to recite the features of claims 12 or 13, and the Examiner has indicated that claims 12 and 13 are free of the art. Applicants respectfully request that this rejection under 35 U.S.C. 102(e) be withdrawn.

The Examiner rejected claims 1-2, 10-11, 14, 18-19 and 22-26 under 35 U.S.C. 102(e) as being anticipated by Kaleko et al. Claims 1-2, 10-11, and 18-19 have been cancelled. Claims 14 and 25-26 have been amended to recite the features of claims 12 or 13, and the Examiner has indicated that claims 12 and 13 are free of the art. Claims 22-24 have been amended to depend

Applicant : Paul B. McCray, Jr. et al.  
Serial No. : 10/718,262  
Filed : November 20, 2003  
Page : 8 of 8

Attorney's Docket No.: 17023.035US1

from claim 20, and the Examiner has indicated that claim 20 is free of the art. Applicants respectfully request that this rejection under 35 U.S.C. 102(e) be withdrawn.

### CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (952) 876-4091 to facilitate prosecution of this application.

The Commissioner is hereby authorized to charge any additional fees that may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-3503. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-3503. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any extension fees to Deposit Account No. 50-3503.

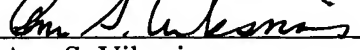
Respectfully submitted,

PAUL B. MCCRAY, JR. et al.

By their Representatives,

Viksnins Harris & Padys PLLP  
PO Box 111098  
St. Paul, MN 55111-1098  
(952) 876-4091

Date: 14 March 2006

By:   
Ann S. Viksnins  
Reg. No. 37,748